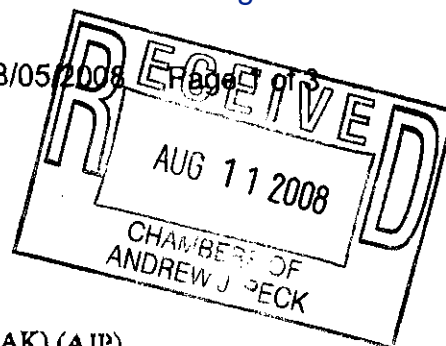


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DOC#  
DATE FILED: 8/11/08



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WILLIAM A. GROSS CONSTRUCTION  
ASSOCIATES, INC.,

-----X 07-cv-10639 (LAK) (AJP)

Plaintiff,

**ORDER AND STIPULATION  
EXTENDING FIFTH PARTY  
DEFENDANT CNA SURETY  
CORPORATION D/B/A  
AMERICAN CASUALTY  
COMPANY OF READING, PA'S  
TIME TO RESPOND TO THE  
FIFTH-PARTY COMPLAINT**

-against-

AMERICAN MANUFACTURERS MUTUAL  
INSURANCE COMPANY,

Defendant,

-----X

AMERICAN MANUFACTURERS MUTUAL  
INSURANCE COMPANY,

Third-Party Plaintiff,

-against-

CAULDWELL WINGATE COMPANY, LLC,

Third-Party Defendant.

-----X  
CAULDWELL WINGATE COMPANY, LLC,

Fourth-Party Plaintiff,

-against-

DORMITORY AUTHORITY OF THE  
STATE OF NEW YORK,

Fourth-Party Defendant.

-----X

Caption continued on next page

-----X  
DORMITORY AUTHORITY OF THE  
STATE OF NEW YORK,

Fifth-Party Plaintiff,

-against-

A. WILLIAMS TRUCKING & BACKHOE  
TRENCHING, INC., ASPRO MECHANICAL  
CONTRACTORS, INC., BEAUBOIS CANADA,  
INC., BOVIS LEND LEASE LMB, INC., CNA  
SURETY CORPORATION D/B/A AMERICAN  
CASUALTY COMPANY OF READING, PA,  
DIERKS HEATING COMPANY, INC. ENCLOS  
CORPORATION, FIVE STAR ELECTRIC  
CORPORATION, FUTURE TECH CONSULTANTS  
OF NEW YORK, INC., HERITAGE AIR SYSTEMS,  
INC., HUGH O'KANE ELECTRIC CO., LLC,  
MATERIALS TESTING LAB, INC., PYRAMID  
FIKE PROTECTION, INC., RAFAEL VINOLY  
ARCHITECTS P.C., SMI-OWEN STEEL COMPANY,  
INC., STONEWALL CONTRACTING  
CORPORATION, TRACTEL LTD. SWINGSTAGE  
DIVISION,

Fifth-Party Defendants.

-----X  
IT IS HEREBY STIPULATED AND AGREED, by and between counsel for  
the Fifth-Party Plaintiff, Dormitory Authority of the State of New York, Michael A.  
Cardozo Corporation Counsel of the City of New York, and counsel for the Fifth-Party  
Defendant, CNA Surety Corporation d/b/a American Casualty Company of Reading, PA  
(hereinafter referred to as "CNA"), Winget, Spadafora & Schwartzberg, LLP, that CNA's  
time to answer, move or otherwise respond to the Fifth-Party Complaint is extended through  
and including September 4, 2008.

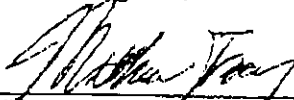
SO ORDERED:


Hon. Andrew Jay Peck  
United States Magistrate Judge

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IT IS FURTHER HEREBY STIPULATED AND AGREED, that faxed copies of the undersigned attorneys' signatures shall have the same force and effect as the original signatures.

Dated: August 5, 2008

  
WINGET, SPADAFORA  
& SCHWARTZBERG, LLP  
By: Matthew Tracy (MI-2503)  
45 Broadway, 19<sup>th</sup> Floor  
New York, New York 10006  
(212) 221-6900  
*Attorneys for Fifth-Party Defendant,  
CNA Surety Corporation d/b/a  
American Casualty Company of  
Reading, PA*

  
MICHAEL A. CARDOZO  
CORPORATION COUNSEL OF  
THE CITY OF NEW YORK  
By: Edwin M. Leavy (EL-7792)  
100 Church Street, Rm. 3-241  
New York, New York 10007  
(212) 788-1185  
*Attorneys for Fifth-Party Plaintiff,  
Dormitory Authority of the  
State of New York*

SO-ORDERED:

Dated:

Hon. Andrew J. Peck, U.S.M.J.